

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

---

**THOMAS SPIEWAK and ELLEN SPIEWAK,**

**Plaintiffs,**

**v.**

**1:17-CV-40  
(FJS/DJS)**

**A.O. SMITH WATER PRODUCTS;  
ARMSTRONG INTERNATIONAL, INC.;  
AVOCET ENTERPRISES, INC., formerly  
known as Ventfabrics Inc.; BINGHAMTON  
HARDWARE & HVAC SUPPLY CORP.;  
BIRD INCORPORATED, formerly known as  
Bird & Son, Inc.; BOEING COMPANY,  
individually and as successor to McDonnell  
Douglas; BORGLINER MORSE TEC LLC;  
BURNHAM CORPORATION; CBS  
CORPORATION, a Delaware Corporation  
formerly known as Viacom Inc., successor by  
merger to CBS Corp., a Pennsylvania Corp.  
formerly known as Westinghouse Electric  
Corporation; CERTAIN-TEED  
CORPORATION; COLONIAL PLUMBING  
AND HEATING SUPPLY, INC.; CURTISS  
WRIGHT FLOW CONTROL CORPORATION,  
individually and as successor to Farris Valves  
and/or Sprague Pumps; DAP, INC., formerly  
known as La Mirada Products Co., Inc.;  
DURO DYNE CORPORATION; EATON  
CORPORATION, individually and now  
known as Eaton Electrical, Inc. and as  
successor to the Vickers Pump Company  
and Cutler Hammer, Inc.; FORD  
MOTOR COMPANY; FOSTER WHEELER,  
LLC; GENERAL ELECTRIC COMPANY;  
GEORGIA-PACIFIC CORPORATION,  
individually and as successor to Bestwall  
Gypsum Company; GOODRICH  
CORPORATION, individually and as successor  
in interest to the Cleveland Pneumatic Company,  
a Division of the Pneumo Abex Corporation,  
a wholly owned subsidiary of Abex, Inc.**

**formerly known as B.F. Goodrich Company;  
GOODYEAR CANADA, INC.; GOODYEAR  
TIRE & RUBBER COMPANY (THE);  
HENDERSON-JOHNSON CO. INC.;  
HONEYWELL INTERNATIONAL, INC.,  
as successor-in-interest to The Bendix  
Corp. formerly known as Allied Signal, Inc.;  
IMO INDUSTRIES, INC., individually  
and as successor to Turbine Equipment  
Company formerly known as Delaval, Inc.;  
LOCKHEED MARTIN CORPORATION,  
individually and as successor by merger to  
Lockheed Corporation; MCDONNELL  
DOUGLASS CORPORATION;  
METROPOLITAN LIFE INSURANCE  
COMPANY; NEW YORKER BOILER  
COMPANY, INC.; OWENS ILLINOIS,  
INC.; PARKER-HANNIFIN CORPORATION,  
individually and as successor by merger to  
Stratoflex, Inc. (Cleveland Brake Division);  
PEERLESS INDUSTRIES, INC.; RHEEM  
MANUFACTURING CORP.; SECURITY  
SUPPLY CORPORATION; SYRACUSE  
SUPPLY COMPANY; T.J. BELL & CO.,  
INC.; UNION CARBIDE CORPORATION;  
UNITED TECHNOLOGIES CORPORATION,  
individually and as successor to Pratt &  
Whitney (Pratt & Whitney/Aircraft Division);  
YORK INTERNATIONAL CORPORATION,  
individually and as successor to Frick  
Company; EATON AEROQUIP, formerly  
known as Aeroquip Corporation,**

**Defendants.**

---

**ORDER**

On January 13, 2017, Defendant Lockheed Martin Corporation filed a Notice of Removal pursuant to 28 U.S.C. § 1442(a). *See* Dkt. No. 1. Under § 1442, joinder of the other Defendants in this action was not necessary. However, as 28 U.S.C. § 1446(d) requires, Defendant Lockheed

Martin Corporation did provide notice to the other Defendants regarding the filing of its Notice of Removal. *See* Dkt. No. 6.

On January 20, 2017, Plaintiffs and Defendant Lockheed Martin Corporation filed a stipulation in which they agreed to the remand of this action to the New York Supreme Court, County of Schenectady. *See* Dkt. No. 20.

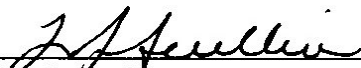
Based on this stipulation, the Court hereby

**ORDERS** that this action is remanded to the New York Supreme Court, County of Schenectady; and the Court further

**ORDERS** that the Clerk of the Court shall mail a certified copy of this Order to the Clerk of the New York Supreme Court, County of Schenectady as 28 U.S.C. § 1447(c) requires.

**IT IS SO ORDERED.**

Dated: January 23, 2017  
Syracuse, New York

  
\_\_\_\_\_  
Frederick J. Scullin, Jr.  
Senior United States District Judge